



MS AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1647

PATENT
4614-0105P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: HALKIER, T. et al. Conf.: 6308
Appl. No.: 09/787,126 Group: 1647
Filed: March 14, 2001 Examiner: NICHOLS, C.
For: METHOD FOR DOWN-REGULATING
OSTEOPROTEGERIN LIGAND ACTIVITY

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 10, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated May 8, 2003 of the Primary Examiner finally rejecting claims 1, 3, 5, 8-12, 17-24, 28, 57 and 58.

☒ This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☐ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

☒ An extension of three (3) month(s) was paid with the Supplemental Response to Final Office Action on even date herewith. Thus no fee is required to obtain an additional three (3) month(s) for filing the Notice of Appeal.

11/14/2003 R-TJH:R51 00000166 09787126 330.00 OP
01 FC:1401

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$330.00

☐ Small Entity - \$165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$330.00.

Payment of the above TOTAL FEE is being made in the following manner:

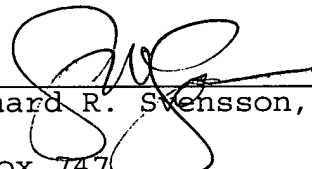
☒ Check(s) in the amount of \$330.00 is/are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP


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LRS/KR/sml
4614-0105P

(Rev. 09/30/03)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: Nov. 10 2003
(Date of Deposit)

BIRCH, STEWART, KOLASCH & BIRCH, LLP


(Signature)
Nov. 10 2003
(Date of Signature)